THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 20636 of 2007

01-10-2007

Between:

Nimmani Gopalaiah

Petitioner

And

Srikalahasti Municipality,
Rep., by its Commissioner,
Srikalahasti, Chittoor district.

Respondent.

THE HON'BLE SRI JUSTICE
GODA RAGHURAM

W.P.No. 20636 of 2007

Oral Order:

Heard the learned counsel for the petitioner and Sri S.I. Newton, learned standing counsel for the respondent.

The petitioner alleges to have occupied the village site poramboke to an extent of 112 Square yards situated in Gandla Veedhi, Kondamitta, Srikalahasti 20 years ago. He leveled the site and constructed a thatched house in about 60 square yards leaving the remaining site vacant for ingress and egress. He also obtained electricity

connection bearing S.C. No. 24224. He further asserts that the respondent-municipality has allotted door No. 2-284-A to the property and the Mandal Revenue Officer, Srikalahasti had also issued him a 'residence certificate' in respect thereof.

While so, on 26-09-2007 the staff of the respondent came over to the property and forcibly tried to evict him.

On instructions, the learned standing counsel for the respondent states that there is no formal process initiated either for demolition or eviction of the petitioner from the property in question and that as admittedly the petitioner is an encroacher upon the property, the respondent, if so desirous would take appropriate and lawful steps for eviction of the petitioner or demolition of the structures in the property, but will not evict the petitioner or demolish the structures without notice and opportunity of hearing to the petitioner.

In the light of this statement made by the learned standing counsel on behalf of the respondents, no further proceedings are warranted.

The writ petition is disposed of recording the statement made on behalf of the respondent by the learned standing counsel for the respondent. No costs.

_____

GODA RAGHURAM, J

Dated: 01-10-2007
pvks

Nb:- Furnish c.c. two days.
B/o pvks